

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

IN THE MARION CIRCUIT COURT

AVC NO. 05-034

IN RE: MOLLY COLLINS,)
 d/b/a MORTGAGE)
 MENDERS)
)
 Respondent.)

FILED

95

AUG 23 2005

David A. Paetzmann
CLERK OF THE
MARION CIRCUIT COURT

ASSURANCE OF VOLUNTARY COMPLIANCE

The State of Indiana, by Attorney General Steve Carter and Deputy Attorney General David A. Paetzmann, and the Respondent, Molly Collins, individually and doing business as Mortgage Menders, enter into an Assurance of Voluntary Compliance ("Assurance") pursuant to Indiana Code § 24-5-0.5-7.

Any violation of the terms of this Assurance constitutes *prima facie* evidence of a deceptive act. This Assurance is entered into without any adjudication of any issue of fact or law, and upon consent of the parties.

The parties agree:

1. Respondent is an Indiana resident who has engaged in business as a credit services organization as defined by the Credit Services Organization Act, Ind. Code § 24-5-15-1 *et seq.*, under the name of Mortgage Menders, with a principal place of business located at 4111 Ritterskamp Ct., Indianapolis, Indiana 46250. In the ordinary course of business, Respondent has solicited and entered into agreements to assist consumers in securing deferred debt payments.
2. The terms of this Assurance apply to and are binding upon Respondent, her employees, agents, representatives, successors, and assigns.

3. Respondent acknowledges the jurisdiction of the Consumer Protection Division of the Indiana Attorney General's Office to investigate matters hereinafter described, pursuant to the authority of Ind. Code § 4-6-9-4 and Ind. Code § 24-5-0.5-1 *et seq.*

4. Respondent, in soliciting and/or transacting business as a credit services organization with Indiana residents, shall comply with the provisions of the Indiana Deceptive Consumer Sales Act, Ind. Code § 24-5-0.5-1 *et seq.*, and the Indiana Credit Services Organization Act, Ind. Code § 24-5-15-1 *et seq.*

5. Respondent shall not solicit or transact business as a credit services organization in Indiana until she has obtained a surety bond in the amount of ten thousand dollars (\$10,000.00) in favor of the State of Indiana as required by Ind. Code § 24-5-15-8. Respondent agrees to provide a copy of its surety bond to the Consumer Protection Division of the Indiana Attorney General's Office prior to soliciting or transacting any business as a credit services organization in Indiana.

6. Respondent, when transacting business as a credit services organization with Indiana consumers, shall not execute a contract or agreement or receive money or other valuable consideration without first providing each consumer with a written statement containing the disclosures required by Ind. Code § 24-5-15-6.

7. Respondent shall not enter into a contract to provide services as a credit services organization with Indiana consumers unless such contract is in writing, is dated and signed by both the consumer and the Respondent, and includes the terms required by Ind. Code § 24-5-15-7.

8. Respondent shall pay full restitution to any Indiana consumer filing a complaint with the Consumer Protection Division of the Indiana Attorney General's Office in the future, if such complaint arises from a credit services organization contract between a consumer and Respondent solicited or entered into during a time period when Respondent's activities as a credit services organization were not in full compliance with the Indiana Credit Services Organization Act.

9. Upon execution of this Assurance, Respondent shall pay restitution in the amount of Five Hundred Dollars (\$500.00) to the Office of the Attorney General on behalf of Amber Disinger, _____, IN _____.

10. Upon execution of this Assurance, Respondent shall pay costs in the amount of Five Hundred Dollars (\$500.00) to the Office of the Attorney General.

11. Respondent shall not represent that the Office of the Attorney General approves or endorses Respondent's past or future business practices, or that execution of this Assurance constitutes such approval or endorsement.

12. Respondent shall fully cooperate with the Office of the Attorney General in the investigation and resolution of any future written complaints the Consumer Protection Division receives.

13. The Office of the Attorney General shall file this Assurance in the Circuit Court of Marion County. The Court's approval of this Assurance shall not act as a bar to any private right of action.

IN WITNESS WHEREOF, the parties have executed this Assurance this 12 day
of July, 2005.

STATE OF INDIANA

STEVE CARTER
Attorney General of Indiana

by: 

David A. Paetzmann
Deputy Attorney General
Attorney No. 6392-23
Office of the Attorney General
Indiana Government Center South, 5th floor
302 W. Washington Street
Indianapolis, IN 46204

RESPONDENT

MOLLY COLLINS d/b/a
MORTGAGE MENDERS

by: 

APPROVED this _____ day of _____, 2005.

AUG 23 2005



Judge, Marion County Circuit Court